

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.

BY: JULIA L. SIEBER

DATE: May 16, 2001

BOX FEE AMENDMENT



In re:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of : Group Art Unit: 1642
Skurkovich *et al.* :
Appln. No.: 09/487,979 : Examiner: S. Ungar
Filed: January 20, 2000 :
For: TREATMENT OF AUTOIMMUNE : Attorney Docket
DISEASES, INCLUDING AIDS : No. 0011-1U9
: (53663-5001-09)

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RESPONSE TO RESTRICTION REQUIREMENT

This Response is responsive to the Restriction Requirement dated December 6, 2000 (Paper No. 3), in the above-captioned application. This Response is being timely filed in view of the accompanying Petition for a Five-Month Extension of Time, and associated fee, which extends the time for a response to the Restriction Requirement to and through June 6, 2001.

Responsive to the Restriction Requirement, Applicants hereby elect to prosecute the claims of Group II, claims 33-35, 37, 38, drawn to a method of treating acquired immunodeficiency disease with a plurality of autoimmune inhibitors. This election is made without traverse and without prejudice to the inclusion of the subject matter of the non-elected claims in any later filed divisional application.

Further, in the Restriction Requirement, the Examiner has requested that if election is made to the claims of Group II, then a species election must be made to a specified group of autoimmune inhibitors. Applicants hereby elect the group consisting of an antibody to gamma interferon, an antibody to alpha interferon, and an antibody to tumor necrosis factor. This election is made without traverse, and without prejudice to the inclusion of the non-elected subject matter of claims 33-35 in any later filed divisional application.

This Response is accompanied by a Preliminary Amendment that amends the elected claims such that they reflect the species election recited above.

Favorable examination of the claims on the merits is respectfully requested.

Respectfully submitted,

SKURKOVICH ET AL.

May 31, 2001

(Date)

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